

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:
State of Alabama v. Purdue Pharma L.P., et al.
Case No. 18-OP-45236

MDL No. 2804

Hon. Dan Aaron Polster

DEFENDANT McKESSON CORP.'S MOTION TO DISMISS (FED. R. CIV. P. 12(b)(6))

Pursuant to Case Management Order 1 (Dkt. 232), Defendant McKesson Corporation (“McKesson”) moves to dismiss the First Amended Complaint in the above-referenced action with prejudice on the basis that it fails to state a claim upon which relief can be granted, for the reasons given in the accompanying memorandum of law, which is incorporated herein.

Pursuant to Case Management Order One Section 2.g, McKesson raises “only those issues [it] believe[s] are most critical,” and pursuant to Section 2.j, McKesson does not waive and hereby preserves any defenses not addressed in the motion and reserves its right to file an additional motion to dismiss at a later date.

Dated: June 29, 2018

Respectfully submitted,

/s/ Geoffrey E. Hobart

Geoffrey E. Hobart

Mark H. Lynch

Christian J. Pistilli

COVINGTON & BURLING LLP

One CityCenter

850 Tenth Street N.W.

Washington, DC 20001

Tel: (202) 662-6000

ghobart@cov.com

mlynch@cov.com

cpistilli@cov.com

Counsel for McKesson Corporation

CERTIFICATE OF SERVICE

I, Geoffrey E. Hobart, hereby certify that the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ Geoffrey E. Hobart
Geoffrey E. Hobart